

E-FILED - 4/24/09

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

WHITT DEWANE ROBINSON,

Petitioner,

vs.

TOM L. CAREY, Warden,

Respondent.

No. C 06-6960 RMW (PR)

ORDER GRANTING FOURTH
EXTENSION OF TIME TO FILE
OPPOSITION TO MOTION TO
DISMISS

Docket No. 31

Petitioner, a state prisoner proceeding *pro se*, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On September 10, 2008, respondent filed a motion to dismiss the petition as untimely. Thereafter, petitioner was granted three extensions of time to file his opposition. On April 9, 2009, petitioner filed a fourth amended request for an extension of time. Petitioner then filed his opposition to respondent's motion to dismiss on April 17, 2009. The court GRANTS petitioner's fourth amended request for an extension of time (docket no. 31). Petitioner's opposition, filed on April 17, 2009, is deemed timely. In accordance with the court's March 18, 2009 order, respondent shall file his reply within **fifteen (15) days** of April 17, 2009, the filing date of the opposition.

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1 This order terminates docket no. 31.

2 IT IS SO ORDERED.

3 Dated: 4/24/09



RONALD M. WHYTE
United States District Judge